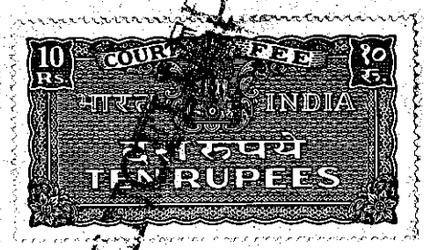
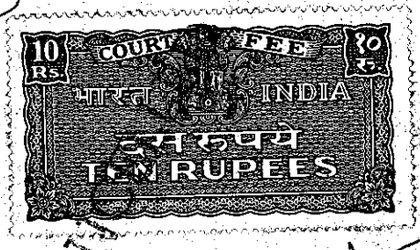




IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

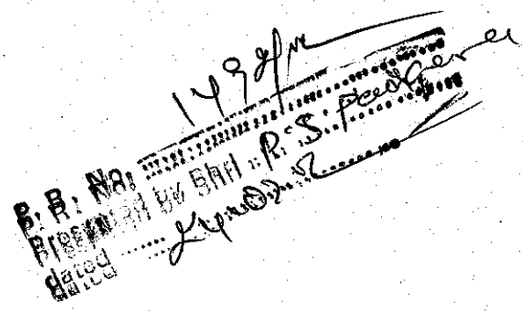
W.P. 1489/02

PETITIONER : Ganesh Singh Sengar, S/O Late M.S. Sengar, aged about 59 years, R/O Latia, Post - Akaltara, Distt- Janjgir-Champa (C.G.)

VERSUS

RESPONDENTS :

1. Cement Corporation of India Ltd. through-The Chairman Cum Managing Director Cement Corporation of India Ltd. Core-5, Scop Complex-7 Lodhi Road, New Delhi-11003
2. Cement Corporation of India Ltd. through-Director Personal, Core-5, Scop Complex-7, Lodhi Road, New Delhi- 110003
3. Cement Corporation of India Ltd. through-General Manager, Cement Mandhar Cement Factory, Distt- Raipur.



WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA.

(58)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... WP No. 1489/02 ..... **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	13.5.2005 Mr. Kundan Singh, counsel for the petitioner. Heard. The petitioner, who was working as General Supervisor in the factory of Cement Corporation of India at Akaltara, has preferred this petition under Article 226/227 of the Constitution of India. The case of the petitioner is that in the year 1997 the petitioner was transferred from Akaltara to Yeraguntal factory in Tamil Nadu, against which the petitioner filed a petition bearing W.P.No.4384/97, which deicded by order dated 11.11.1997 and Corporation was directed to consider the representation of the petitioner. When the representation of the petitioner was not considered then he again filed a petition bearing W.P. No.814/98 and in that petition also on 4.3.1998 the Court directed the Corporation to consider the case of the petitioner within a period of one month. When the order of the Court was not complied with then the petitioner again filed a petition bearing W.P. No.2233/98 which came to be decided on 30.10.1998 and in Paragraph 6 of the said order the Court observed that "*it is relevant to mention here that Mr. Menon appearing on behalf of the respondents has stated that till the representation of the petitioner was rejected by order dt. 12.12.1997, he shall be entitled for the salary. Thereafter, till the petitioner joins to the post to be assigned by respondent*	

(5g)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

No.1, admissible leave for the intervening period shall be granted, in case he applied for grant of leave."

In this petition the main grievance of the petitioner is that after joining duties by the petitioner on 13.2.1999 he moved for grant of admissible leave for the period commencing from 13.12.1997 to 12.2.1999, however, that admissible leave has not been sanctioned by the respondents. In the circumstances, counsel for the petitioner submits that petitioner may be allowed to make a representation to respondent No.1 and respondent No.1 be directed to decide the same in accordance with law.

Having heard learned counsel for the petitioner and having regard to the facts and circumstances of the case, the petitioner is allowed to make a representation to respondent No.1 within a period of 15 days from today raising all his grievances and requesting for sanction of admissible leave and in turn respondent No.1 is directed to decide the representation of the petitioner within another period of two months from the date of receipt of the representation after considering the points raised by the petitioner in an objective manner. Respondent No.1 should ensure that if any leave is admissible to the petitioner then same may be sanctioned to him in accordance with the rules and law.

With the direction aforesaid, the petition stands disposed of.

Consequently, all pending I.As stand disposed of.

Certified copy as per rules.

Sd/-
L.C.BHADOO
Judge

Rastogi

SP/FS/2005 - 20,000